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**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**JOHN DOE, JOHN DOE  
SR., and JANE DOE,**

**CIVIL ACTION NO. 3:02-0444**

## Plaintiffs

(VANASKIE, D.J.)  
(MANNION, M.J.)

**V.**

**FATHER ERIC ENSEY,  
FATHER CARLOS  
URRUTIGOITY, DIOCESE  
OF SCRANTON, BISHOP  
JAMES C. TIMLIN, THE  
SOCIETY OF ST. JOHN,  
THE PRIESTLY  
FRATERNITY OF ST.  
PETER, and ST.  
GREGORY'S ACADEMY,**

## Defendants

FILED  
WILKIE GARRE

AUG - 2 2002

MARY E. D'ANDREA, CLERK  
Per [Signature]  
DEPUTY CLERK

## ORDER

Before the court is a correspondence from James A. Bendell, Esquire (Doc. No. 9), attorney for the plaintiffs in the above-captioned matter. Plaintiffs' counsel requests that the court schedule a teleconference to resolve the issue of overdue discovery from the defendants, Diocese of Scranton and Priestly Fraternity of St. Peter. Counsel correctly noted that this court's practice is to hold a teleconference, in the first instance, among the parties in discovery disputes, rather than have the requesting party file a motion to compel pursuant to Fed.R.Civ.P. 37.

By way of background, the complaint in this matter was filed

on March 20, 2002. (Doc. No. 1) Thereafter, on June 11, 2002, counsel representing defendants Ensey, Urrutigoity and the Society of St. John, requested an enlargement of time until August 15, 2002 in which to file an answer to the complaint. (Doc. No. 6) That motion was concurred in by plaintiffs' counsel. ( Id.) By order dated June 13, 2002, this court granted the request for an enlargement of time and directed that the defendants shall file their response to the complaint on or before August 15, 2002.

Counsel representing the defendants, the Priestly Fraternity of St. Peter and St. Gregory's Academy have filed an answer with affirmative defenses as of June 27, 2002. (Doc. No. 8)

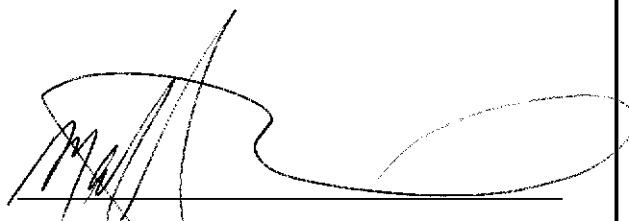
Counsel for the remaining defendants, Diocese of Scranton and Bishop James C. Timlin, filed an entry of appearance on April 30, 2002, (Doc. No. 3) however, as of the date of this order, they have not filed an answer, nor a motion to enlarge time in which to file an answer to the complaint.

In light of the foregoing, and in order to consolidate the varying defendants in this case into a single scheduling order, **IT IS HEREBY ORDERED THAT:**

1. The defendants Diocese of Scranton and Bishop James C. Timlin are directed to file a responsive

pleading on or before **August 15, 2002;**

2. A discovery dispute teleconference will be held on **Thursday, September 5, 2002 at 2:00 P.M.;**
3. By separate order this date, the court is directing that a case management teleconference will also be held on **Thursday, September 5, 2002 at 2:00 P.M.;** and,
4. Plaintiffs' counsel will be responsible for initiating the teleconference.

A handwritten signature in black ink, appearing to read 'Malachy E. Mannion', is written over a horizontal line.

**MALACHY E. MANNION**  
United States Magistrate Judge

Dated: August 2, 2002